

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BANK OF THE WEST,

Plaintiff,

vs.

HARRY H. SHULL, *et al.*,

Defendants.

Case No. 2:09-cv-01690-LDG-PAL

**ORDER**

(Mot Quash/Mot Prot Ord - Dkt. #32)

Before the court is Defendant Harry H. Shull's and Steven R. Rosenberg's Motion to Quash Order Setting Judgment Debtor Examination and Motion for Protective Order (Dkt. #32).

In a prior Order (Dkt. #29) entered May 13, 2011, the court granted Plaintiff's motion for a judgment debtor examination in this case. On October 20, 2011, the Plaintiff served notices of taking a judgment debtor exam of Harry H. Shull at the law offices of Holland & Hart, LLP, in Las Vegas, Nevada, on November 10, 2011, and the judgment debtor examination of Steven R. Rosenberg at the law offices of Plaintiff's counsel on November 18, 2011, in Newport Beach, California.

In the current motion, the moving judgment debtors assert that their prior businesses were located in Las Vegas, Nevada, but the premises was vacated sometime in 2008. Mr. Shull represents that he "has moved, or is in the process of moving, his primary residence to Southern California." Defendant Rosenberg represents that he has moved is primary residence to the State of Utah, but has secondary residences in California and Florida. Both judgment debtors seek to quash the notices of deposition and subpoenas because, pursuant to Nevada Revised Statute 21.2701(b), they may not be required to appear outside the county in which they reside. Although the Defendants were residents of Nevada at the time the original summons was issued in this case, neither is now domiciled in Nevada, or within the 100-mile limit of the court.

14 || **IT IS ORDERED** that:

- 20 Dated this 14<sup>th</sup> day of November, 2011.

2